

REMARKS

This response, submitted in response to the Office Action dated July 7, 2003, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-37 are all the claims pending in the application. Claims 1, 2, 4, 9-14, 17-19, 21-30 and 34-36 have been rejected. The Examiner rejected claims 1, 2, 4, 17, and 30 under 35 U.S.C. § 102(e) as being anticipated by Merz et al. (USP 6,246,776). The Examiner rejected claims 21, 24-26, and 28 under 35 U.S.C. § 102(e) as being anticipated by Biegelsen et al. (USP 6,335,084). Claims 9, 10, and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Merz and further in view of Huston (USP 5,816,165). The Examiner rejected claims 11-13, 18, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Merz and further in view of Biegelsen. The Examiner rejected claims 22-27 under 35 U.S.C. § 103(a) as being unpatentable over Biegelsen and further in view of Huston. The Examiner has objected to claims 3, 5-8, 15, 16, 20, 31-33, and 37 as being dependent upon rejected base claims, but has indicated that the claims would be allowable if rewritten in independent form.

Applicant's note that the filing date of Merz is January 19, 1999, which is *after* the application's foreign priority date of August 17, 1998. In addition, the filing date of Biegelson is December 30, 1998 which is also *after* the application's foreign priority date of August 17, 1998. Applicant's file herewith a certified translation of Applicants' priority document (JP 230972/1998), thereby perfecting Applicants' claim to priority. Accordingly, Merz and

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO. 09/373,589

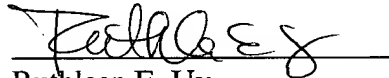
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Biegelson should be removed as prior art, and all of the Examiner's rejections should be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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